REMARKS

Examiner suggests that the "character coded data" disclosed in Sekiya equates to the "coded data" defined in the claims of the present invention, and that this in conjunction with the teaching of Kurogane et al anticipates the present invention as claimed. With respect, Applicant disagrees with the interpretation of the claims used to arrive at this conclusion, as well as with the proposed combining of the cited art.

Notwithstanding this, we have made a minor amendment to independent claims 25 to further clarify the major and important distinctions between the system disclosed in the citations (alone and in any combination) and the present invention. Far from adding new matter for consideration, we would strongly submit that the additional language in the claims merely emphasizes and makes explicit that which was already implicitly present in the claims. We would be pleased to provide the Examiner with additional arguments to this effect should they be considered necessary or desirable.

Turning to the citations, Sekiya discloses a combined fax and OCR system operable in any of three modes: fax mode, OCR mode, or fax/OCR mode. In the first two modes, operation of the device is in accordance with prior art devices of the respective types, and will not be discussed further here. However, in the combined mode, there is an overlap between these two functions. The advantage of Sekiya over prior art devices of this type is that it allows data to be stored and transmitted as a combination of text and image data, rather than as image data alone. This also allows for manipulation (such as merging) of character data into other forms for storage, printing and transmission.

Sekiya discloses provision of character coded data that informs the device that the document is of a particular format. This enables the device to know where to look in the captured image of the form to perform character recognition. Once recognition is performed, the characters and their respective locations are stored separately from the image data representing the rest of the form. Fig. 10 shows an example in which the top half of a form is a designated character data area, whilst the bottom half is an image data area.

This disclosure is completely distinct from the present invention, which is concerned with capturing a message using a sensing device (such as a special pen) in conjunction with a surface that includes coded data, and forwarding the message by fax. As was claimed (and as is now further emphasized in the current amendments), the message is composed using the sensing device prior to being faxed. This is achieved by capturing coded data in the vicinity of the sensing device's position. There is no such feature disclosed or implied by any of the citations, since the sensing device (taking the Examiner's construction) is the scanning section of the Sekiya device. The scanning section in Sekiya is in no way used to compose the message and thereby generate interaction, and so cannot be said to anticipate this feature of the independent claims.

Kurogane cannot be used to remedy this deficiency, since it does not add any feature in which the message is composed by the sensing device.

The dependent claims also present features that are novel and inventive in view of the citations.

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 25 and 36 have been amended as follows:

25. (Twice Amended) A method of enabling composition of a facsimile by a user and delivery thereof, utilizing a form printed onto at least one surface, the form including information relating to the user and at least one area for the user to enter a message, the at least one surface having coded data indicative of an identity of the form and of the at least one area, the method including the steps of:

providing the form to the user;

receiving, in a computer system, interaction data from a sensing device used to compose the message, the interaction data being indicative of an identity of the form and a position of the sensing device relative to the area, the sensing device, when placed operatively relative to the area in order to compose the message, generating the interaction data based at least partially on sensing at least some of the coded data in the vicinity of the position;

capturing electronically, in the computer system and from the interaction data, at least the message, and

transmitting the message to a designated recipient address for facsimile delivery.

36. (Twice Amended) A system to enable a user to compose and deliver a message by facsimile, utilizing a form printed on at least one surface, the form including information relating to the user and at least one area for the user to enter the message, the at least one surface having coded data indicative of an identity of the form and of the at least one area, the system including

a computer system which:

causes the form to be provided to the user;

receives the interaction data from a sensing device used to compose the message, the interaction data being indicative of an identity of the form and a position of the sensing device relative to the area, the sensing device, when placed operatively relative to the area in order to compose the message, generating the interaction data based at least partially on sensing at least some of the coded data in the vicinity of the position; and

captures the message to be transmitted to a designated recipient address by facsimile delivery.